

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DANIEL J. GOODSON, III, <i>et al</i> ,)	Civil Action No. 08-44
)	
Plaintiffs,)	Chief Judge Gary L. Lancaster
)	Magistrate Judge Lenihan
v.)	
)	
LAWRENCE O. MAGGI, <i>et al</i> .,)	

MEMORANDUM ORDER

Plaintiffs' Complaint was received by the Clerk of Courts on January 10, 2008 and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (Doc. No. 215) filed on December 21, 2009, recommended that the Motion to Dismiss filed by Defendants Westmoreland County, Phil Light, Tom Bayla, and Tom Ceraso, Westmoreland County Commissioners, and Mark Gesalman, Westmoreland County Solicitor (Doc. No. 105), be granted with prejudice. Service was made on all counsel of record and *pro se* Plaintiff Daniel J. Goodson, III.¹ The parties were informed that in accordance with the Magistrate Judge's Act, 28 U.S.C. § 636(b)(1)(B) and (C), and FEDERAL RULE OF CIVIL PROCEDURE 72(b)(2), and Local Rule of Court 72.D.2., the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. No objections have been filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following Order is entered:

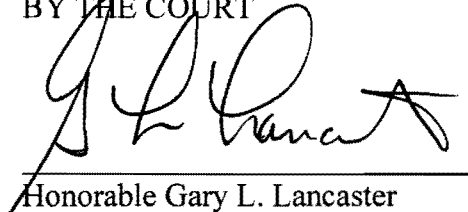
¹Pursuant to Magistrate Judge Lenihan's text order entered on September 10, 2009, service on Plaintiffs is made to adult Plaintiff Daniel Goodson, III only.

AND NOW, this 12th day of January, 2010;

IT IS HEREBY ORDERED that the Motion to Dismiss (Doc. No. 105) filed by Defendants Westmoreland County, Phil Light, Tom Bayla, and Tom Ceraso, Westmoreland County Commissioners, and Mark Gesalman, Westmoreland County Solicitor, be **GRANTED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 215) of Magistrate Judge Lenihan, dated December 21, 2009, is adopted as the Opinion of the Court.

BY THE COURT

A handwritten signature in black ink, appearing to read "G. L. Lancaster", is written over a horizontal line.

Honorable Gary L. Lancaster
Chief United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

All counsel of record
Via Electronic Mail

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